

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 11-1 OF THE CITY CODE
RELATING TO THE TAXATION OF TANGIBLE PROPERTY IN TRANSIT.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

- (A) Texas Tax Code Section 11.253 (*Tangible Personal Property In Transit*) provides for an exemption from ad valorem taxation of tangible personal property in transit unless the governing body of a taxing unit provides that the goods are subject to taxation.
- (B) To subject the property to taxation, the governing body of the taxing unit must conduct a public hearing as required by Section 1-n(d) of Article VIII of the Texas Constitution.
- (C) On December 6, 2007, the Council conducted the required public hearing to consider whether to subject the property to taxation.

PART 2. Chapter 11-1 (*Ad Valorem Tax*) of the City Code is amended to add Section 11-1-3 to read:

§ 11-1-3 TAXATION OF TANGIBLE PROPERTY IN TRANSIT.

- (A) In this section, GOODS-IN-TRANSIT has the meaning assigned by Texas Tax Code Section 11.253 (*Tangible Personal Property In Transit*).
- (B) Goods-in-transit exempt from taxation under Texas Tax Code Section 11.253(b), and not exempt from taxation under other law, are subject to taxation within the City of Austin.

